

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
HEIDI A. OJEDA
3 Assistant Federal Public Defender
Nevada State Bar No. 12223
4 411 E. Bonneville, Ste. 250
Las Vegas, Nevada 89101
5 (702) 388-6577/Phone
(702) 388-6261/Fax
6 Heidi_Ojeda@fd.org

7 Attorney for Brandon Lamar Pruitt

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 BRANDON LAMAR PRUITT,
15 Defendant.

Case No. 2:16-cr-285-APG-NJK

STIPULATION TO CONTINUE
MOTION DEADLINES
(Fourth Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,
18 United States Attorney, and Elham Roohani, Assistant United States Attorney, counsel for the
19 United States of America, and Rene L. Valladares, Federal Public Defender, and Heidi A.
20 Ojeda, Assistant Federal Public Defender, counsel for Brandon Lamar Pruitt, that the parties
21 herein shall have to and including March 7, 2017, to file any and all pretrial motions and notices
22 of defense.

23 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
24 shall have to and including March 28, 2017, to file any and all responsive pleadings.

25 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
26 shall have to and including April 4, 2017, to file any and all replies to dispositive motions.

1 The Stipulation is entered into for the following reasons:

2 1. The government disclosed additional discovery to defense counsel on February
3 15, 2017. This discovery production largely included photographs taken during the course of
4 the investigation. Due to technical difficulties, defense could not open the discovery produced.
5 At the defense's request, the Government reproduced the discovery in a different format on
6 February 23, 2017. Although the second production of discovery was able to be opened and
7 viewed by defense counsel, the original meta-data from the photographs was lost in the process
8 of converting the files to a different format. Defense and the government are working on finding
9 a way to produce the discovery so the original meta-data can be accessed.

10 2. Defense is requesting the Court extend its pre-trial motion deadline for 1 week
11 to allow this discovery issue to be resolved. The additional week will also allow counsel time
12 to review the newly received discovery with Mr. Pruitt.

13 3. The Government does not oppose this 1-week extension.

14 4. In addition, the Government is requesting an additional week to respond to
15 defense counsel's motion. Defense does not oppose the Government having a total of 3 weeks
16 to respond to any motion filed by the defense.

17 5. The additional time requested herein is not sought for purposes of delay, but
18 merely to allow counsel for defendant sufficient time within which to be able to effectively and
19 complete investigation of the discovery materials provided.

20 6. Additionally, denial of this request for continuance could result in a miscarriage
21 of justice. The additional time requested by this Stipulation is excusable in computing the time
22 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
23 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
24 Section 3161(h)(7)(B)(i), (iv).

25 This is the fourth stipulation to continue filed herein.
26

DATED this 28th day of February, 2017.

RENE L. VALLADARES
Federal Public Defender

DANIEL G. BOGDEN
United States Attorney

/s/ Heidi A. Ojeda
By _____
HEIDI A. OJEDA
Assistant Federal Public Defender

/s/ Elham Roohani
By _____
ELHAM ROOHANI
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,
4
5 Plaintiff,
6 v.
7 BRANDON LAMAR PRUITT,
8 Defendant.

Case No. 2:16-cr-285-APG-NJK
ORDER


9 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
10 Court finds that:

11 IT IS THEREFORE ORDERED that the parties herein shall have to and including
12 March 7, 2017 to file any and all pretrial motions and notice of defense.

13 IT IS FURTHER ORDERED that the parties shall have to and including March 28,
14 2017 to file any all responses.

15 IT IS FURTHER ORDERED that the parties shall have to and including April 4, 2017
16 to file any and all replies.

17 Dated: February 28, 2017.

18 
19 UNITED STATES DISTRICT JUDGE